United Nations Convention on the Law of the Sea SPLOS/311

Meeting of States Parties

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Election of the twenty-one members of the Commission on the Limits of the Continental Shelf

Note by the Secretary-General

I. Introduction

1. On 15 June 2017, the terms of office of the present members of the Commission on the Limits of the Continental Shelf will expire. Accordingly, the election of 21 members will be held for the next five-year term of office, which starts on 16 June 2017.

2. Article 2, paragraph 2, of annex II to the United Nations Convention on the Law of the Sea provides that, at least three months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States parties, inviting the submission of nominations, after appropriate regional consultations, within three months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated and shall submit it to all the States parties.

3. Paragraph 3 of the same article provides that elections of the members of the Commission shall be held at a meeting of States parties convened by the Secretary-General at United Nations Headquarters.

4. As provided for in paragraph 54 of General Assembly resolution 71/257, the next, twenty-seventh meeting of the States parties to the Convention will be held from 12 to 16 June 2017.

* SPLOS/L.78.

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II. Nomination of candidates

5. Pursuant to article 2, paragraph 2, of annex II to the Convention, the Secretary-General addressed a communication dated 1 December 2016 to States parties inviting them to submit, between 8 December 2016 and 7 March 2017, the names of candidates whom their Governments might wish to nominate for the election of members of the Commission, together with a statement of their qualifications. It was noted that the election would take place during the twenty-seventh meeting of the States parties.

6. In the communication, the Secretary-General recalled that, pursuant to article 2, paragraph 1, of annex II to the Convention, the members of the Commission shall be experts in the field of geology, geophysics or hydrography.

7. Following the closing date for nominations, the Secretary-General prepared a list of all the persons nominated (SPLOS/312). The curricula vitae of the candidates will be circulated in advance of the meeting as document SPLOS/313.

III. Allocation of seats

8. Article 2, paragraph 3, of annex II to the Convention provides that no fewer than three members of the Commission shall be elected from each geographical region. At the nineteenth meeting of the States parties, held in June 2009, the following arrangement for the allocation of seats for the next election of the members of the Commission was approved with the understanding that the arrangement would not prejudice or affect future arrangements for elections (see SPLOS/201, paras. 2 and 3, and SPLOS/203, paras. 100-102):

(a) Five members of the Commission shall be from the Group of African States;

(b) Five members of the Commission shall be from the Group of Asian States;

(c) Three members of the Commission shall be from the Group of Eastern European States;

(d) Four members of the Commission shall be from the Group of Latin American and Caribbean States;

(e) Three members of the Commission shall be from the Group of Western European and other States;

(f) The remaining one member of the Commission shall be from among the Group of African States, the Group of Asian States and the Group of Western European and other States.

IV. Procedure for the election

9. Rule 71 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4) provides that the elections of the members of the Commission shall take place in accordance with article 76 and annex II to the Convention.

10. Article 2, paragraph 3, of annex II to the Convention provides that two thirds of the States parties shall constitute a quorum, and that the persons elected to the Commission shall be those nominees who obtain a two-thirds majority of the votes of the representatives of States parties present and voting.

11. The procedure for the election is subject to the approval of the Meeting of States Parties. In accordance with established practice, unless otherwise decided, the election is held by secret ballot.

12. Only those candidates whose names appear on the ballot papers are eligible for election. Voting for a candidate is done by placing a cross in the box to the left of the name. Blank ballot papers will be considered abstentions. Ballot papers marked for more candidates than the number of seats indicated will be considered invalid.

13. At the twenty-second meeting of the States parties, held in 2012, in connection with the first election of members of the Commission on the basis of the arrangement for the allocation of seats contained in SPLOS/201, it was agreed that the election would follow a two-step approach.

14. Pursuant to that approach, in the first part of the forthcoming election, 20 members of the Commission will be elected on the basis of the regional allocation of seats as set out in document SPLOS/201. For the first round of balloting, separate ballot papers will be prepared for each region on the basis of the above-mentioned arrangement for the allocation of seats and will contain the names of the candidates from each region. If more than the required number of nominees obtain, on the same ballot, the two-thirds majority of the votes of the representatives of States parties present and voting, those nominees obtaining the highest number of votes above the required majority will be considered elected, up to the number of seats to be filled for each region.

15. The second part of the election will be exclusively for the "remaining seat", limiting the election to those candidates from the Groups, as applicable, of African States, of Asia-Pacific States and of Western European and other States who were not elected in the first part. Balloting will continue until a single candidate from one of those groups obtains the highest number of votes and the required majority (see SPLOS/251, paras. 86 and 87).

16. In the first part of the election, balloting will continue, applying rule 66 (Restricted balloting for two or more elective places) of the Rules of Procedure for Meetings of States Parties and, as appropriate, rule 65 (Restricted balloting for one elective place), until as many candidates as are required for the seats of each region to be filled obtain, in one or more ballots, a two-thirds majority of the votes of States parties present and voting. In the second part of the election, balloting will continue, applying rule 65 (Restricted balloting for one elective place).

V. Terms of office

17. Article 2, paragraph 4, of annex II to the Convention provides that the members of the Commission shall be elected for a term of five years and be eligible for re-election. The terms of office of the elected members will begin on 16 June 2017 and will end on 15 June 2022.